

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ADAM RIVERA,**

**Plaintiff,**

**vs.**

**DAVID RAINES, JAMES MUTAYOBA,  
DEE DEE BROOKHARDT, and  
MONICA CARRELL,**

**Defendants.**

**Case No. 16-CV-450-SMY-RJD**

**MEMORANDUM AND ORDER**

**YANDLE, District Judge:**

This matter is before the Court on the Report and Recommendation (“Report”) of United States Magistrate Judge Reona J. Daly (Doc. 44), recommending the partial granting of the motion for summary judgment filed by Defendants David Raines, James Mutayoba, Dee Dee Brookhardt, and Monica Carrell (Doc. 34). No objections to the Report have been filed. *See* 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b)(2); SDIL-LR 73.1(b). For the following reasons, Judge Daly’s Report is **ADOPTED**.

When neither timely nor specific objections to a Report and Recommendation are made, the Court need not conduct a *de novo* review of the Report. *See Thomas v. Arn*, 474 U.S. 140 (1985). Instead, the Court reviews the Report and Recommendation for clear error. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). The Court may then “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

Here, Judge Daly thoroughly discussed and supported her conclusions that the

Defendants are entitled to summary judgment as to all of Plaintiff's claims in Count One of the Complaint with the exception of Plaintiff's First Amendment Free Exercise claim against Defendants Raines, Brookhardt, and Mutayoba. The Court finds no clear error in Judge Daly's findings, analysis or conclusions, and accordingly, adopts her Report and Recommendation in its entirety.

Accordingly, Defendants' Motion for Summary Judgment (Doc. 44) is **GRANTED** as to Plaintiff's First Amendment claim against Defendant Monica Carrell; **DENIED** as to Plaintiff's First Amendment Claim against Defendants David Raines, James Mutayoba, and Dee Dee Brookhardt; **GRANTED** as to Plaintiff's Fourteenth Amendment Equal Protection claim against all defendants. Plaintiff's claim under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), 42 U.S.C. §§ 2000cc, *et seq.* is **DISMISSED as MOOT**. The Clerk of Court is **DIRECTED** to enter judgment accordingly at the close of this case.

**IT IS SO ORDERED.**

**DATED: September 25, 2018**

s/ Staci M. Yandle  
**STACI M. YANDLE**  
**United States District Judge**